

Jeb Bush  
Governor

File / Barbara

# Department of Environmental Protection

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

David B. Struhs  
Secretary

February 7, 2000

Mr. David Plauck  
Project Manager  
Santa Rosa Energy LLC  
650 Dundee Road  
Suite 350  
Northbrook, Illinois 60062

Dear Mr. Plauck:

Re: Acid Rain Phase II Permit Application for the Santa Rosa Energy Center  
ORIS Code: 55242

Thank you for your recent submission of the referenced application for this facility. We have reviewed the material and deem your application complete.

If you have any questions, please contact Tom Cascio at 850/921-9526.

Sincerely,

Scott M. Sheplak, P.E.  
Administrator  
Title V Program

cc: Jenny Jachim, U.S. EPA, Region 4

**Santa Rosa Energy LLC**

650 Dundee Road  
Suite 350  
Northbrook, Illinois  
60062

tel 847 559 9800  
fax 847 559 1805

www.skygen.com

**skygen**

RECEIVED  
FEB 02 2000  
BUREAU OF AIR REGULATION

January 28, 2000

Letter No. 64

Mr. Thomas Cascio  
Engineer IV  
Florida Department of Environmental Protection  
Division of Air Resources Management  
2600 Blair Stone Road  
Mail Station 55-05  
Tallahassee, FL 32399-2400

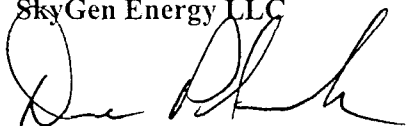
Dear Mr. Cascio:

In accordance with The United States Environmental Protection Agency Acid Rain Program, we are submitting the forms necessary to obtain an Acid Rain Permit for the Santa Rosa Energy Center located in Pace, Florida. Enclosed are the Certificate of Representation and Phase II Permit Application forms. Also enclosed is proof that the Public Notice of Designation of Representation was printed in the local newspaper, The Santa Rosa Press Gazette.

If you have any questions or need additional information, please feel free to contact me at 847-559-9800 extension 311.

Sincerely,

**Santa Rosa Energy LLC**  
**by its Managing Member**  
**SkyGen Energy LLC**



Dave Plauck  
Project Manager

Encl.

File: ENVR-ARP



# Certificate of Representation

For more information, see instructions and refer to 40 CFR 72.24

This submission is:  New  Revised (revised submissions must be completed in full; see instructions)

This submission includes combustion or process sources under 40 CFR part 74

**STEP 1**  
Identify the source by  
plant name, State, and  
ORIS code.

Santa Rosa Energy Center	FL	55242
Plant Name	State	ORIS Code

**STEP 2**  
Enter requested  
information for the  
designated  
representative.

Name David Plauck	
Address 650 Dundee Road Suite 350 Northbrook, IL 60062	
Phone Number (847) 559-9800 ext. 311	Fax Number (847) 559-1805
E-mail address (if available) dplauck@skygen.com	

**STEP 3**  
Enter requested  
information for the  
alternate designated  
representative, if  
applicable.

Name	
Phone Number	Fax Number
E-mail address (if available)	

**STEP 4**  
Complete Step 5, read  
the certifications, and  
sign and date. For a  
designated representa-  
tive of a combustion or  
process source under 40  
CFR part 74, the refer-  
ences in the certifications  
to "affected unit" or  
"affected units" also  
apply to the combustion  
or process source under  
40 CFR part 74 and the  
references to "affected  
source" also apply to  
the source at which the  
combustion or process  
source is located.

I certify that I was selected as the designated representative or alternate designated representative, as applicable, by an agreement binding on the owners and operators of the affected source and each affected unit at the source.

I certify that I have given notice of the agreement, selecting me as the 'designated representative' for the affected source and each affected unit at the source identified in this certificate of representation, in a newspaper of general circulation in the area where the source is located or in a State publication designed to give general public notice.

I certify that I have all necessary authority to carry out my duties and responsibilities under the Acid Rain Program on behalf of the owners and operators of the affected source and of each affected unit at the source and that each such owner and operator shall be fully bound by my actions, inactions, or submissions.

I certify that I shall abide by any fiduciary responsibilities imposed by the agreement by which I was selected as designated representative or alternate designated representative, as applicable.

I certify that the owners and operators of the affected source and of each affected unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, an affected unit, or where a utility or industrial customer purchases power from an affected unit under life-of-the-unit, firm power contractual arrangements, I certify that:

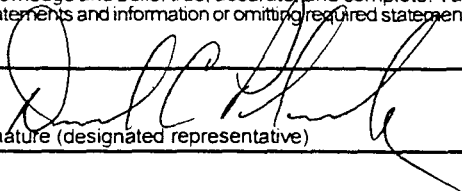
I have given a written notice of my selection as the designated representative or alternate designated representative, as applicable, and of the agreement by which I was selected to each owner and operator of the affected source and of each affected unit at the source; and

Allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in proportion to each holder's legal, equitable, leasehold, or contractual reservation or entitlement or, if such multiple holders have expressly provided for a different distribution of allowances by contract, that allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in accordance with the contract.

The agreement by which I was selected as the alternate designated representative, if applicable, includes a procedure for the owners and operators of the source and affected units at the source to authorize the alternate designated representative to act in lieu of the designated representative.

Santa Rosa Energy Center  
Plant Name (from Step 1)

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

 Signature (designated representative)	Date 1/14/2000
Signature (alternate designated representative)	Date

**STEP 5**  
Provide the name of every owner and operator of the source and identify each affected unit (or combustion or process source) they own and/or operate.

Santa Rosa Energy LLC					<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Operator	
Name						
COG01						
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

Name					<input type="checkbox"/> Owner <input type="checkbox"/> Operator	
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

Name					<input type="checkbox"/> Owner <input type="checkbox"/> Operator	
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

Name					<input type="checkbox"/> Owner <input type="checkbox"/> Operator	
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

# Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is: New  Revised

**STEP 1**  
Identify the source by plant name, State, and ORIS code from NADB

Santa Rosa Energy Center Plant Name	FL State	55242 ORIS Code
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**STEP 2** Enter the boiler ID# from NADB for each affected unit and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

a Boiler ID#	Compliance Plan b	Repowering Plan c	d New Units Commence Operation Date	e New Units Monitor Certification Deadline
COG01	Yes		1 Sept 2001	1 Jan 2002
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)

Repowering Plan

**STEP 3**  
Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

## Santa Rosa Energy Center

**STEP 4**  
**Read the standard requirements and certification, enter the name of the designated representative, and sign and date**

**Standard Requirements**Permit Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72, Rules 62-214.320 and 330, F.A.C. in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
  - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the permitting authority; and
  - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an Acid Rain unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an Acid Rain unit that has excess emissions in any calendar year shall:
  - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
  - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
  - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Santa Rosa Energy Center

Recordkeeping and Reporting Requirements (cont.)

(iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

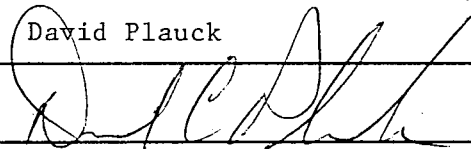
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

David Plauck	
	1/14/2000

**STEP 5 (optional)**  
Enter the source AIRS  
and FINDS identification  
numbers, if known


The Santa Rosa Press Gazette

PUBLISHED BI-WEEKLY

Milton, Santa Rosa County, Florida

STATE OF FLORIDA

County of Santa Rosa

Before the undersigned authority personally appeared Susan Holley

who on oath says that he is Cashier of the Press Gazette, a bi-weekly newspaper published at Milton in Santa Rosa County, Florida; that the attached copy of

advertisement being a Public Notice of Designation of Representation

in the matter of Santa Rosa Energy, LLC

in the court, was published in said newspaper in the issues of: January 19 A.D., 2000

A.D., 20

A.D., 20

A.D., 20

A.D., 20

A.D., 20

Affiant further says that the Press Gazette is a newspaper published at Milton in said Santa Rosa County, Florida and that said newspaper has heretofore been continuously published in said Santa Rosa County, Florida, each week and has been entered as second class mail matter at the post office in Milton in Santa Rosa County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

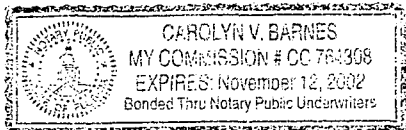
I (SWEAR) (AFFIRM) that the above information is true and correct to the best of my knowledge.

Susan Holley (Signature of Applicant)

Sworn to and subscribed before me this 19 day of January 2000

Carolyn V. Barnes (Signature of Notary Public-State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)



Personally known OR Produced Identification Type of Identification Produced:

PUBLIC NOTICE OF DESIGNATION OF REPRESENTATION

As per 40 CFR 72.24, please take notice that an agreement has been reached with Santa Rosa Energy LLC that I, David Plauck, have been selected to be the designated representative for matters related to the Acid Rain Program for Santa Rosa Energy LLC, which will be owner and operator of a planned combined cycle cogeneration facility to be constructed in Pace, FL.

Written public comments may be sent to Thomas

Cascio at Florida Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, FL 232992400. Santa Rosa Energy LLC can be reached at:

Santa Rosa Energy LLC 650 Dundee Road Suite 350 Northbrook, IL 60062 Telephone: (847) 559-9800

011900 011900 0115000001